

CITY OF FORT WAYNE, INDIANA  
JOURNAL OF THE PROCEEDINGS  
OF THE COMMON COUNCIL

BRADBURY <u>A</u>	EDMONDS <u>A</u>	GIAQUINTA <u>Present</u>
HENRY <u>Present</u>	LONG <u>Present</u>	LUNSEY <u>A</u>
RAVINE <u>Present</u>	SCHMIDT <u>Present</u>	TALARICO <u>Present</u>

COUNCILMEMBER: \_\_\_\_\_

19

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION,  
APPROVED AND PUBLISHED.

ROLL CALL

COMMITTEE SESSION

*July 11, 1995*  
*5:30 PM*

CITY OF FORT WAYNE, INDIANA

The Common Council of the City of Fort Wayne met in the  
Common Council Conference Room 128 Tuesday evening  
July 11, 1995 in Committee Session. President  
Donald J. Delmonico, in the chair, Council Attorney  
Stanley G. Lipp, and Sandra E. Kennedy City  
Clerk, at the desk, present the following members  
viz:

\*\*\*\*\*

BRADBURY A, EDMONDS ✓, GiaQUINTA A. Lutz *Copied in*  
HENRY ✓, LONG ✓, LUNSEY ✓,  
RAVINE ✓, SCHMIDT ✓, TALARICO ✓,

\*\*\*\*\*

ABSENT: Bradbury - Abs

COUNCIL MEMBER \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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# The City of Fort Wayne

Paul Helmke, Mayor

June 27, 1995

## COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Dear Councilmembers:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a portion of a dedicated plat including all restrictions, building lines and other encumbrances.

The proposed ordinance is designated as:

Bill No. G-94-11-08

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
27th day of June 1995.

Carol Kettler Sharp  
Secretary

/pb

XC: File

# FACT SHEET

G-94-11-08

BILL NUMBER

## Division of Community Development & Planning

BRIEF TITLE

APPROVAL DEADLINE

REASON

Plat Vacation Ordinance

### DETAILS

Specific Location and/or Address  
Lot 54 & 55 in Ludwig Park, including all  
restrictions, building lines & other  
encumbrances.

Reason for Project

Construction of a new retail  
facility on these lots.

Discussion (Including relationship to other Council actions)

21 November 1994 - Public Hearing

(See attached minutes of meeting.)

26 June 1995 - Business Meeting

Motion was made and seconded to WITHDRAW  
this petition as requested by the  
petitioner's agent.

Of the six (6) members present, five (5)  
voted in favor of the motion, the Chair  
did not vote.

Motion carried.

Members Present: James Hoch, Thomas Quirk,  
Dave Ross, Donald Schmidt, Carol Kettler-  
Sharp, Mel Smith

Members Absent: Linda Buskirk, Ernest  
Evans, Vicky VerPlanck

### POSITIONS

### RECOMMENDATIONS

Sponsor	City Plan Commission
Area Affected	City Wide  Other Areas
Applicants/ Proponents	Applicant(s) Patrick Bruggeman City Department  Other
Opponents	Groups or Individuals Ken Miller, area resident Bill Swisher, 904 Pelham Dr Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against  Reason Against
Board or Commission Recommendation	By  <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions) WITHDRAWN
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	

(This space for further discussion)

Project Start Date 20 October 1994

Projected Completion or Occupancy Date 27 June 1995

Fact Sheet Prepared by Patricia Biancaniello Date 27 June 1995

Reviewed by  Date 28 June 1995

Reference or Case Number

4. Public Hearing on the Vacation of Lots 54 & 55 from the plat of Ludwig Park Addition, including all restrictions, building lines and other encumbrances.

- a. Bill No. G-94-11-08 - Vacation Petition #575  
The Northeast corner of Orlando Drive and Lima Road.

Pete Mallers, attorney for the petitioners appeared before the Commission. Mr. Mallers stated that he would like to handle this matter second to the rezoning that is in conjunction with this vacation request.

The Commission so approved the request.

5. Public Hearing on a Zoning Map Amendment

- a. Bill No. Z-94-11-05 - Change of Zone #573  
From R-1 to B-1-B  
1514 Orlando Dr

Mr. Mallers stated that he represented Patrick J. Bruggeman the owner of Lots 54 & 55 in Ludwig Park Addition. He stated that Lot 55 is the subject of the rezoning petition and both Lots 54 & 55 are the subject of the petition to vacate. He stated that Lot 54 was rezoned from R-1 to B-1-B in 1989 along with a number of other properties on the east side of Lima Road from Washington Center Road extending north to Ludwig Park Drive. He stated that the present request to rezone Lot 55 is a result of a proposal from Klopfenstein Furniture to purchase both Lot 54 & 55 for the purpose of constructing a retail furniture store. He stated that the petition to vacate the plat is based on the recognition that both of these lots are part of Ludwig Park, which is subject to certain plat restrictions and building lines, which apply only to residential properties. He stated that they feel that in order to proceed with the proposed commercial development it is necessary to deal with the plat matters as well. He stated that in 1989 it was acknowledged, by the owners of the various properties that were rezoned at that time, that whenever there would be commercial development proposed for those lots within Ludwig Park Addition, the matter of the plat restrictions would have to be handled at the time of the proposed development. He stated that as far as he knew this was the first time that they have been dealing with this particular situation. He stated that Mr. Bruggeman has had numerous offers to purchase Lot 54 & 55, some of which have been for a higher purchase price than Klopfenstein Furniture. Mr. Bruggeman felt that the Klopfenstein proposal would be more compatible with the residential uses of the neighborhood in recognizing that he would be dealing with the neighborhood association on the plat matters. He stated that they were there for the first time dealing with both the rezoning and the plat. He stated that he recognized that a consideration of rezoning is not necessarily concerned with a specific proposal. He stated that he believed that it is important that to consider some of the basic elements of the Klopfenstein proposal so that you will have a better understanding of what they are dealing with in the petition and why they feel the rezoning of Lot 55 is appropriate. He stated that Klopfenstein Furniture is a longstanding and reputable business in this area and it desires to establish a presence in Fort Wayne on Lima Road. He stated that while the specific development plan has not been finalized a preliminary site plan has been prepared and reviewed with the Feasibility Committee and with other city departments as well as with the Ludwig Park Association. He stated that they have tried to emphasize to the association that this is a preliminary plan only. He stated that Mr. Klopfenstein does not want to undertake the significant expense of developing a final plan until all of the details, including approval of the rezoning and vacation requests have been finalized. He stated

that the building for any retail furniture store is going to be relatively large in size compared to other retail operations. However, he stated, what they feel is unique is that they have a very low traffic volume. He stated that based on the current Klopfenstein operation the estimate is 14 to 15 customer cars a day. He stated that this would vary of course based on the day of the week, the time of the year and special sales. He stated that they felt that the hours of operation would be compatible with the surrounding uses. He stated that a furniture store would be open from 10 am to 8 pm on most days, 10 am to 5 pm on Saturday and not open at all on Sunday. He stated that is subject to some change, but based on the current Klopfenstein operation that is what they have found to be appropriate and that is what they are proposing at this site. He stated that a loading dock will be required. He stated however that the majority of deliveries will be by smaller truck, van or possibly UPS. He stated that a semi-truck will be required approximately once every 5 days. He stated that there have been discussion with the city regarding access and drainage, and obviously the project will have to comply with all city requirements. He stated that the landscape buffer, which was established in 1989 as a requirement of the rezoning of the properties on Lima Road, will be voluntarily shifted to the east property line of Lot 55 so that an adequate buffer will in affect between this commercial development and the residential use to the east. Mr. Mallers stated that representatives of the petitioner, Mr. Bruggeman and Mr. Klopfenstein and his representative, have met with members of the Ludwig Park Board of Directors and with members of the association. The petitioner believes that the rezoning of Lot 55 to a B1B classification is appropriate for a number of reasons. The rezoning of Lot 53 & 54, which is to the north and the other properties to the south of Lot 54, was in recognition of the changing character of Lima Road and adjacent properties. He stated that over the last five years, from the rezoning, the commercial growth in this area has expanded greatly, particularly with the development of Crosscreek, which in 1989 was only in the early planning stages. He stated that there have been numerous other properties in the area that have been developed for business purposes. He stated that it was his understanding that many of those properties, which were zoned in 1989, are now the subject of rather intense investigation as to commercial uses. In 1989 Lot 55 was originally included in the petition to rezone, but it was voluntarily withdrawn. However, considering the depth of Lot 53 to the north, rezoning Lot 55 creates a similarly sized business parcel to the south of Lot 53. He stated that this configuration existed in 1989, but not only have the circumstances changed over the last 5 years, but now they have a specific proposal that requires the use of both Lots 54 & 55. He stated that in 1989 there was no specific proposal for these property. He stated that given the fact that Lot 55 has been vacant for well over 10 years, it is highly unlikely that this would ever be used for residential purposes. He stated that rezoning Lot 55 is consistent with the Comprehensive Plan, which encourages growth in a balanced manner within or adjacent to existing development and which does not establish an undesirable precedent. He stated that because of the existing B-1-B Lots 53 & 54 extending the B1B zoning to Lot 55, which adjacent to both, does provide balanced growth. He stated that rezoning Lot 55 to permit the proposed use, on both Lots 54 & 55, clearly reflects that the most desirable use for this property is commercial. He stated that the petitioner maintains that the proposed plan for Lots 54 & 55 will not have a negative effect on the surrounding properties. He stated that given the concentrated commercialization of Lima Road and given the many possibilities for the business use for Lot 54, for less compatible uses on this property, it stands to reason that the proposed use will be as compatible a business use as exists. In 1989 the city required a landscape buffer. He stated that Mr. Klopfenstein is willing to place that on the east property line of Lot 55. He stated that they feel that will help secure the property values of the properties to the east. Further there are discussions with the city to install a cul de sac on Orlando Drive east of Lot 55, which they feel would be a further effort to conserve the property values. He stated that for all of the above reasons the petitioners maintain that the rezoning of Lot 55 to B1B and permitting Klopfenstein Furniture to develop Lots 54 & 55 as planned would

constitute responsible development for this area. The rezoning of Lot 55 would not be spot zoning, in that it is adjacent to existing B1B property. The placement of the landscape buffer to the east property line shows further evidence of responsible development, and considering the numerous and more offensive business uses for which Lot 54 could already be used, the proposal constitutes responsible development. He stated that the second part of the presentation involves the petition of Klopfenstein Furniture to vacate Lots 54 & 55 from the plat of Ludwig Park Subdivision, including all restrictions, building lines and other encumbrances. As the staff discussion indicates, Klopfenstein Furniture and the Mr. Bruggeman recognize that Lots 54 & 55 are in the plat of Ludwig Park, which was platted in 1956. Mr. Mallers distributed copies of the plat along with the restrictions to the Commission Members. Mr. Mallers stated that they were aware that there is a prescribed procedure in the plat itself for amending the plat. He stated that they are not ignoring that. He stated that they have had meetings with the Board of Directors for Ludwig Park Association and their are continuing to investigate their concerns and investigate solutions. He stated that they have every intention of reaching an agreement with the association relative to the various restrictions. However, he stated since the Plan Commission does have jurisdiction over plats, and because there is a 75 foot building line that extends across both these lots, they have filed the petition so that they could handle all other plat matters relative to the proposal. He stated that they have discussed with the association the possibility of entering into new covenants and restrictions. He stated at this time they have not reached a specific agreement. He stated that they are well aware that there are a number of concerns voiced by the residents, concerns related to the landscape buffer, drainage, future uses and the cul de sac. He stated that based on numerous discussions with the city, they feel that there are some real prospects toward having a cul de sac developed for Orlando Drive east of the proposed development. He stated that he would assure the Commission and the residents that they will continue their efforts to finalize that discussion and make a specific proposal to the association. He stated that as far as future uses for the property, recognizing that there are a multitude of uses available, they have tried to express to the association that Mr. Klopfenstein is a young man and this is his future. He stated that Mr. Klopfenstein has every intention of utilizing this property for the furniture store. He stated that he is willing to make a sizable investment for that purpose. He stated that recognizing that anything can happen, they have indicated that there are a number of B1A and B1B uses that Mr. Klopfenstein is willing to exclude in the form of a restrictive covenant, with the association, so that as such time as it is no longer used as a furniture store, the use will be restricted. He stated that the vacation of the lots from the plat along with the 75 foot building line will allow for the best potential site development for these lots. He stated that if lots 54 & 55 remain in the plat, the owner & developer will be faced with either violating the restrictions and facing a court action. He stated that having the Commission's approval of the vacation is a necessary step in the development process. He stated that given the current B1B zoning for Lot 54 and assuming a rezoning of Lot 55 to B1B, the subject restrictions and existing building lines are no longer applicable for these lots and approval of this request is appropriate. He stated in conclusion for all of the reasons stated for the rezoning of Lot 55 and with respect of vacating both Lots 54 & 55 from the plat of Ludwig Park they respectfully request that the Plan Commission approve the petitions.

Mark GiaQunita questioned Mr. Mallers if he felt that there had been a change in circumstances there that would warrant the removable of the covenants.

Mr. Mallers stated "absolutely."

Mr. GiaQuinta asked what the impact of the rezoning without a compromise over the covenants.



Mr. Mallers stated that any developer could proceed to build and technically be in violation of the covenants. He stated that undoubtedly a court action would ensue. He stated they do not want to take that approach.

Ken Miller, (present resident of the Ludwig Park Addition and present vice-present of the Ludwig Park Neighborhood Association Board of Directors) appeared before the Commission in opposition. He presented a document, which is attached and was read into the minutes at the public hearing. Mr. Miller states in the document that, "It is not intended that this document comprehensively communicates all our residents concerns, but that it is only representative, and as the ramifications of this proposal are further comprehended yet other concerns may be forthcoming."

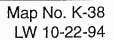
Bill Swisher, 904 Pelham Drive, former President of the Ludwig Park Association appeared before the Commission in opposition to the proposed rezoning and vacation. Mr. Swisher stated that he was president of the association in 1989 when the first zoning was done along Lima Road. He stated that the Plan Commission at that time voted against rezoning Lot 55 and they were grateful for that decision. He stated that Mr. Mallers had stated that he did not think that anything had been brought up before, but the Burger King proposal had been brought up at that time. He stated that they had great support from the association at that time and they do now.

In rebuttal Mr. Mallers stated that he would address Mr. Swisher comment first. He stated that he was involved in the rezoning in 1989. He stated that the Burger King proposal was the impudence behind the entire rezoning. He stated that they dropped out of the picture before it ever came to the Plan Commission for a hearing. He stated that he wanted to correct what Mr. Swisher said regarding Lot 55. The Plan Commission did not vote to not rezone Lot 55, that was voluntarily withdrawn. Regarding the comments of Mr. Miller, Mr. Mallers stated that they did meet with the Board over a month ago and for scheduling reasons they finally had the meeting as a whole on last Tuesday. He stated that they initiated their discussions with the association through the Board, well over a month ago. Mr. Mallers stated that with regard to the landscape buffer, regardless of the preliminary site plan displayed by Mr. Miller, they are saying at this point that Mr. Klopfenstein is willing to have the same landscape buffer that was required in 1989 resituated at the east property line of Lot 55. He stated that in 1989 the city required that the property owners enter into a declaration of covenants for the granting of a 40 foot easement for the frontage road. It was considered at that time to be an appropriate means of access. He stated that the essence of it is, that at any time that a commercial development would be proposed and approved for construction, then the city would require that the property owner grant the forty foot easement. There has been some reference now to the road not being a frontage but a service road at some other location. He stated that is only because the city is rethinking what would be best for the entire area. He stated that it is not their proposal. He stated that also in 1989, the property owners submitted a letter to Tom Cain, promising that the landscape buffer would be implemented, so that is not technically part of the declaration of covenants, but it is of record. Mr. Mallers stated that with respect to all of the references, made by Mr. Miller in his statement, to the Phillip's project, he was aware that the association was considering the two projects together. He stated that there is no Phillip project for Lot 53 presented to the Commission, it is really not part of this discussion. He stated they had actually hoped to present both proposals, Phillip's and Klopfenstein's, together, but for various reasons Mr. Phillip and the owner of Lot 53 decided not to. He stated that just because Lot 55 is rezoned does not mean necessarily that any other lot will be rezoned. He stated that Mr. Bruggeman does own Lots 56, 57 & 58 and without going into detail these lots were acquired a number of

years ago by Mr. Bruggeman as he was assisting the owner of the lots at the time who was having financial troubles. He stated that if you look at the plat Lots 57 & 58 are terribly misaligned from any other reasonable line of B1B property. He stated that they are not part of this application, nor is Lot 56, there is no intent to now or ever have those lots rezoned. He stated that Mr. Miller's statement made reference to "possible" property devaluation, "possible" traffic problems, "possible" various other problems. He stated that he thought it was highly speculative. He stated that when you consider some of the potential uses for Lot 54, nearly 90 B1A and B1B uses, many of which are going to create a much greater possibility for these kinds of problems than what is being proposed. He stated as far as the request for a delay as stated by Mr. Miller, Mr. Mallers stated that he would like to leave that open. He stated that there is a possibility that they will request that the petition to vacate be postponed for a period of time while they continue to work with the association. He stated that they intend to discuss that further this week and have more information on that on Monday.

There was no one else present who spoke in favor of or in opposition to the proposed rezoning.

**CASE NO. #575**



<b>R1</b>	One-Family	<b>B1</b>	Limited Business	<b>M1</b>	Light Industrial
<b>R2</b>	Two-Family	<b>B2</b>	Planned Shopping Center	<b>M2</b>	General Industrial
<b>R3</b>	Multi-Family	<b>B3</b>	General Business	<b>M3</b>	Heavy Industrial
<b>RA/RB</b>	Residential	<b>B4</b>	Roadside Business	<b>MHP</b>	Mobile Home Park
<b>PUD</b>	Planned Unit Dev.	<b>POD</b>	Professional Office District		

RESOLUTION OF VACATION ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 15, 1994 referred the proposed vacation ordinance of a portion of a dedicated plat, including all restrictions; building lines and other encumbrances to the City Plan Commission which proposed ordinance was designated as Bill No. G-94-11-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on November 21, 1994.

WHEREAS, the petitioner's attorney requested that the proposed ordinance be WITHDRAWN at the City Plan Commission Business Meeting held June 26, 1995.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the request.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held June 26, 1995.

Certified and signed this  
27th day of June 1995.



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Carol Kettler Sharp  
Secretary

**Klopfenstein Furniture, Inc., agent for Patrick J. Bruggeman requests the vacation of lots 54 and 55 from the plat of Ludwig Park Addition, including all restrictions, building lines and other encumbrances.**

Location: The NE corner of Orlando Drive and Lima Road.

Legal: Lots 54 & 55 Ludwig Park Addition.

Land Area: Approximately 1.3 acres.

Zoning: B-1-B and R-1

Surroundings:

North	B1B/R-1	Open and Residential
South	B1B/R-1	Commercial & Residential
East	R-1	Residential
West	County	Commercial

Reason for Request: Future Development

Neighborhood Assoc.: Ludwig Park Community Association.

Comprehensive Plan: No comment.

Neighborhood Plan: No comment.

**Planning Staff Discussion:**

The petitioners wish to vacate these lots from the plat of Ludwig Park Addition, including all restrictions, building lines and other encumbrances. State law provides that a petition to vacate may include a request to vacate any recorded covenants or commitments filed as part of the plat. However, we understand that the petitioners would also like to amend the restrictions via the provisions of the covenants providing that they can get the support of the other property owners within the subdivision.

Currently lot 54 is zoned B-1-B which is a limited business designation, while lot 55 is zoned R-1 which is a single family residential classification. The property owner has also submitted a rezoning request for lot 55. If Lot 55 is rezoned, it would allow a better alignment of the limited business classification, and provide a larger combined parcel for development.

Since the Lima Road rezoning in 1988-89 the petitioners have been aware of the need to address the plat restrictions and covenants. The best potential site development could only occur if the restrictive covenants were eliminated.

Although the petitioner did not request vacation of the easement along the north property lines, Water Pollution Control Engineering advised us that a public sanitary sewer lies within the easement on the north property lines of lots 54 and 55. According to the petitioners attorney, proposed development would not require vacation of that easement.

Staff has no objection to the vacation of these two lots from the plat of Ludwig Park. Future development of the parcel for non-residential purposes would be hindered or prevented by the enforcement of the private building lines and covenants.

It should be noted that the petitioner was asked to submit a list of other property owners within the subdivision, and an affidavit or other proof of providing public hearing notice. We also understand that the petitioners met with residents and owners prior to the public hearing to discuss their proposal.

Recommendation: Do Pass for the following reasons:

- 1) The rezoning of lot 54 and the proposed rezoning of lot 55 would allow limited business development of the site, which would be restricted by the existing residential covenants.
- 2) Approval would allow the best potential for commercial development of the parcels.



## MEMORANDUM

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TO: City Council Members

FROM: Gary Stair, Director of Planning, Community and Economic Development

DATE: June 27, 1995

SUBJECT: Recommendation from Plan Commission

The attached vacation request of a portion of a plat, including all restrictions, building line and other encumbrances, has been reviewed by the Fort Wayne Plan Commission and forwarded to you for final action. The Plan Commission's recommendation on this case, made after public hearing and review, has been certified by the Commission's Secretary and is summarized on the attached "Fact Sheet".

As you will note, this request was withdrawn at the request of the petitioner. While the petitioner requested the withdrawal, the fact that the vacation ordinance has already been introduced by Council, requires the petition to be returned to City Council for final disposition. We recommend that you approve the withdrawal as requested.

As always, if you have any questions concerning the attached cases, please do not hesitate to call me or Pat Fahey of the Land Use Management staff at 427-1140.

/kp

1. Vacation Petition - Bill No. G-94-11-08

Amendment: A portion of a dedicated plat, including all restrictions, building lines and other encumbrances.

Location: Ludwig Park - Lots 54 & 55

Applicant: Patrick Bruggeman

Proponents: Pete Mallers, attorney representing petitioner

Opponents: Ken Miller (resident of Ludwig Park)  
Bill Swisher, 904 Pelham Dr

Summary of Discussion: This petition would allow for the construction of a new retail facility.

Staff Recommendation: Do Pass

Plan Commission Recommendation: WITHDRAW

Recommendation Given: June 26, 1995

Committee Session Date: July 11, 1995





# The City of Fort Wayne

Paul Helmke, Mayor

July 3, 1995

## COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, IN 46802

Dear Councilmembers:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of dedicated public right-of-way.

The proposed ordinance is designated as:

Bill No. G-94-09-14

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
3rd day of July 1995.

Carol Kettler Sharp  
Secretary

/pb

XC: File



## MEMORANDUM

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TO: City Council Members

FROM: Gary Stair, Director of Planning, Community and Economic Development

DATE: July 3, 1995

SUBJECT: Recommendation from Plan Commission

The attached right-of-way vacation has been reviewed by the Fort Wayne Plan Commission and forwarded to you for final action. The Plan Commission's recommendation on this case, made after public hearing and review, has been certified by the Commission's Secretary and is summarized on the attached "Fact Sheet".

Occasionally, there will be a significant delay between the time the petition is filed and when the Plan Commission certifies its recommendation and forwards the case to you. This delay occurs when a petition receives "Conditional Approval" -- approval subject to the petitioner fulfilling certain obligations. In such cases the Plan Commission's staff holds the petition until all conditions have been met by the petitioner. Once all conditions have been satisfied, the case is forwarded to you.

As always, if you have any questions concerning the attached cases, please do not hesitate to call me or Pat Fahey of the Land Use Management staff at 427-1140.

/pb

1. Vacation Petition - Bill No. G-94-09-14

Amendment: Alley Vacation Ordinance

Location: The first east-west alley south of Lavina Street, from Jackson Street east to the first north-south alley.

Applicant: General Electric Co

Proponents: Dave Brison

Opponents: None

Summary of Discussion: This petition would allow for the petitioners to put a fence around the parking lot.

Staff Recommendation: Do Pass

Plan Commission Recommendation: Do Pass

Recommendation Given: September 26, 1994

Committee Session Date: The Committee Session date will depend upon the publication of the legal notice by Council staff.

REGULATORY RESOLUTION NO. 30/95/E

(Adopted 07/06/95)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

PARKING REGULATION

(EMERGENCY)

WHEREAS, the City Traffic Engineer has, by written memorandum dated 6/6/95, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:**

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 07/06/95, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

DELETE:

NO PARKING

(EMERGENCY)

Winter St.

-east side-

from Hayden St. to  
Lewis St.

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/20/95 SHEET 1 OF 1 DATE JUNE 06, 1995

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: PARKING REGULATION

Please be advised our office has received a request from the Fort Wayne Police Department to review parking on Winter St. from Hayden St. to Lewis St.

A no parking restriction was established in 1966 due to heavy traffic volumes created by General Electric Co.; however G.E. is now closed and the restriction is no longer necessary.

It is hereby recommended that the Board of Public Safety authorize the following:

DELETE:

NO PARKING

(EMERGENCY)

Winter St. - east side - from Hayden St. to  
Lewis St.

Respectfully submitted,

*Tom Manny*

Tom Manny  
Traffic Engineer

*dds*

TM/lc

MISCELLANEOUS  
INCIDENT  
REPORT

FORT WAYNE POLICE DEPARTMENT

(PRINT OR TYPE ONLY)

11 COMPLAINT NO.

56640

1 SHIFT A	2 Unit/Sec 423	3 DISTRICT A	4 DISP. (Code) A	5 DISP. TO ADDRESS (NO., STREET, CITY, ZIP) 1403 WINTER	FLOOR ROOM APT. NO. 1403 WINTER	6 DAY 5-23-95	7 DATE DISPATCH 10:30	8 TIME
12 COMPLAINING PARTY'S NAME (LAST, FIRST, MIDDLE) DURHAM HILITA					14 D.O.B.	15 SEX/RACE/AGE	16 SOC. SEC. NO.	17 CP OTHER PHONE
13 COMPLAINING PARTY'S ADDRESS (NO., STREET, CITY, ZIP) 1403 WINTER					FLOOR ROOM APT. NO.	18 CP RES. PHONE 422-9977	19 DATE RET. SERV.	20 TIME
18 VICTIM NAME (LAST, FIRST, MIDDLE) BROOKS BARB-G REST					20 D.O.B.	21 SEX/RACE/AGE	22 SOC. SEC. NO.	23 DATE OCCURRED
19 VICTIM ADDRESS (NO., STREET, CITY, ZIP) 1403 WINTER					FLOOR ROOM APT. NO.	22 VIC. RES. PHN. 422-9977	23 VIC. OTHER PHONE 422-9977	24 DATE COMPLETE 5-23-95
24 LOCATION OF INCIDENT ADDRESS (NO. STREET) SAME AS ABOVE					FLOOR ROOM APT. NO.	25 NAME OF PERSON WHO DISCOVERED INCIDENT (LAST, FIRST, MIDDLE) C/P	26 ADDRESS	27 PHONE

28 TYPE OF INVESTIGATION PARKING	WILL <input type="checkbox"/> YES VICTIM <input type="checkbox"/> PROS. <input type="checkbox"/> NO	27 COMPLAINT RECEIVED: <input checked="" type="checkbox"/> IN-PERSON <input type="checkbox"/> RADIO <input checked="" type="checkbox"/> PHONE <input type="checkbox"/> CRUISING
-------------------------------------	--	---

NARRATIVE: EXPLAIN ALL RELEVANT FACTS SURROUNDING INCIDENT (FURTHER INSTRUCTIONS ON REVERSE SIDE)

REFR OUR CONVERSATION ON 5-23-95

I WENT TO THE REST. 1403 WINTER AND LOOKED  
THE AREA OVER. I ALSO TALKED TO THE C/P SHE  
ADVISED SHE ALSO OWNS THE HOUSE AT 1405  
WINTER WHICH IS DIRECTLY SOUTH OF THE REST.

SHE WOULD LIKE SHORT TERM PARKING IN  
FRONT OF BOTH ADDRESS'S. I SEE NO REASON  
WHY THIS CAN'T BE DONE, AS A MATTER OF

FACT I THINK WE COULD LIFT THE SIGNS FROM  
HAYDEN TO LEWIS. ON THE EAST SIDE OF WINTER  
IF I REMEMBER RIGHT THE SIGNS WERE PLACED  
THERE BECAUSE OF THE G.E. TRAFFIC AND G.E.  
HAS BEEN CLOSED FOR APPROX 12 YEARS

THANKS.

NATURE OF LARCENY ARTICLE STOLEN YR. MADE MODEL COLOR SERIAL PRESENT VALUE

29 REPORTING OFFICER(S) Sgt W.J. Tauscher	30 CASE DISPOSITION (CID ONLY) <input type="checkbox"/> CLEARED BY ARREST <input type="checkbox"/> CLEARED BY EXCEPTION <input type="checkbox"/> UNFOUNDED <input type="checkbox"/> DIRECT TO PROSECUTOR	31 ASSISTED BY 35 DAY 1 DATE CANCEL TIME	32 REPORT TO 33 REPORT REVIEWED BY PAGE NO.
--	--	---	---

I CONSIDER THIS TO BE A TRUE AND CORRECT REPORT. I WILL TESTIFY IN COURT UNDER OATH TO THE FACTS HEREIN.  
I UNDERSTAND THAT I MAY BE CRIMINALLY CHARGED FOR FILING A FALSE REPORT.

SIGNATURE OF COMPLAINING PARTY

75-38-A

CHECK  
OVER

REGULATORY RESOLUTION NO. 31/95/E

(Adopted 07/06/95)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

PREFERENTIAL INTERSECTION

(DELEGATED)

WHEREAS, the City Traffic Engineer has, by written memorandum dated 6/6/95, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 07/06/95, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

PREFERENTIAL INTERSECTION

(DELEGATED)

Ray Drive  
Denise Drive  
Ray Drive  
Linda Drive

-preferential-  
-preferential-  
-preferential-  
-preferential-

at Karen Ct.  
at Ray Dr.  
at Harold Dr.  
at Ray Dr.

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/21/95 SHEET 1 OF 1 DATE JUNE 06, 1995

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: PREFERENTIAL INTERSECTION


Please be advised our office has received a request to review various intersections in St. Joe Township regarding control. A combination of traffic volumes and potential accident experience satisfies minimum warrants for Yield control.

It is hereby recommended that the Board of Public Safety authorize the following:

PREFERENTIAL INTERSECTION (DELEGATED)

Ray Dr.	- preferential -	at Karen Ct.
Denise Dr.	- preferential -	at Ray Dr.
Ray Dr.	- preferential -	at Harold Dr.
Linda Dr.	- preferential -	at Ray Dr.

Respectfully submitted,

  
Tom Manny  
Traffic Engineer

TM/lc



REGULATORY RESOLUTION NO. 32/95/D

(Adopted 07/06/95)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

PREFERENTIAL INTERSECTION

(DELEGATED)

WHEREAS, the City Traffic Engineer has, by written memorandum dated 6/6/95, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:**

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 07/06/95, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

PREFERENTIAL INTERSECTION (DELEGATED)

Lakewood Dr.

-preferential-

at Shoreview Dr.

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/22/95 SHEET 1 OF 1 DATE JUNE 06, 1995

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: PREFERENTIAL INTERSECTION

Please be advised our office has received a request to review the intersection of Lakewood Dr. and Shoreview Dr. regarding control. A combination of traffic volumes and geometric design satisfies minimum warrants for Yield control.

It is hereby recommended that the Board of Public Safety authorize the following:

PREFERENTIAL INTERSECTION (DELEGATED)

Lakewood Dr. - preferential - at Shoreview Dr.

Respectfully submitted,

  
Tom Manny  
Traffic Engineer

TM/lc

REGULATORY RESOLUTION NO. 33/95/E

(Adopted 07/06/95)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

SPEED LIMIT

(EMERGENCY)

WHEREAS, the City Traffic Engineer has, by written memorandum dated 6/6/95, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:**

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 07/06/95, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

SPEED LIMIT 45

(EMERGENCY)

Clinton St.

from St. Joe Center  
Rd. to Auburn Road

REGULATORY RESOLUTION NO. 34/95/E

(Adopted 07/06/95)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

SPEED LIMIT

(EMERGENCY)

WHEREAS, the City Traffic Engineer has, by written memorandum dated 6/6/95, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:**

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 07/06/95, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

DELETE:

SPEED LIMIT 50

(EMERGENCY)

Clinton St.

from St. Joe Center  
Rd. to Auburn Road

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/23/95 SHEET 1 OF 1 DATE JUNE 06, 1995

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER *Tom*

SUBJECT: SPEED LIMIT

Please be advised our office has completed a traffic study on N. Clinton St. from St. Joe Center Rd. To Auburn Rd. Regarding speed limits. The study, which included a radar speed check, revealed that the existing Speed Limit 50 should be lowered to Speed Limit 45.

It is hereby recommended that the Board of Public Safety authorize the following:

*3-2-95*

SPEED LIMIT 45 (EMERGENCY)

Clinton St. from St. Joe Center Rd.  
to Auburn Rd.

DELETE:

*3-2-95*

SPEED LIMIT 50 (EMERGENCY)

Clinton St. from St. Joe Center Rd.  
to Auburn Rd.

*Ddo*

**REGULATORY RESOLUTION NO. 35/95/E**

(Adopted 07/06/95)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

ONE WAY STREET

(EMERGENCY)

WHEREAS, the City Traffic Engineer has, by written memorandum dated 6/13/95, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:**

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 07/06/95, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

ONE WAY STREET

(EMERGENCY)

Hoagland Ave.	-northbound-	from Wildwood Ave. to Pontiac St.
Hoagland Ave.	-southbound-	from Wildwood Ave. to Rudisill Blvd.

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/24/95 SHEET 1 OF 1 DATE JUNE 13, 1995  
TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY  
FROM: TOM MANNY - TRAFFIC ENGINEER *TM*  
SUBJECT: ONE WAY STREET

Please be advised our office has received a letter in the form of a petition requesting that Hoagland Ave. be made one-way in opposing directions from Rudisill Blvd. to Pontiac St. This proposed one-way movement is an attempt to eliminate and/or slow down cut-thru traffic. Councilman Mark GiaQuinta and the Fairfield Neighborhood Association have agreed to the proposal.

It is hereby recommended that the Board of Public Safety authorize the following:

ONE WAY STREET

(EMERGENCY)

Hoagland Ave.	- northbound -	from Wildwood Ave. to Pontiac St.
Hoagland Ave.	- southbound -	from Wildwood Ave. to Rudisill Blvd.

Respectfully submitted,

*Tom Manny*  
Tom Manny  
Traffic Engineer

*Dls*

TM/lc

REGULATORY RESOLUTION NO. 36/95/E

(Adopted 07/06/95)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

PARKING REGULATION

(EMERGENCY)

WHEREAS, the City Traffic Engineer has, by written memorandum dated 6/22/95, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:**

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 07/06/95, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

NO PARKING

(EMERGENCY)

Fairfield Ave.            -west side-            from Nuttman Ave. to  
Kinsmoor Ave.

DELETE:

ONE HOUR PARKING 8 AM TO 6 PM

(EMERGENCY)

Fairfield Ave.            -west side-            from Nuttman Ave. to  
Kinsmoor Ave.



TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/25/95 SHEET 1 OF 1 DATE JUNE 22, 1995

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: PARKING REGULATION

Please be advised our office has completed a review of Fairfield Ave. in the vicinity of Kinsmoor Ave. regarding the removal of on-street parking. It was determined that parking needs to be restricted from Nuttman Ave. To Kinsmoor Ave. to expedite the flow of traffic.

It is hereby recommended that the Board of Public Safety authorize the following:

NO PARKING (EMERGENCY)

Fairfield Ave. - west side - from Nuttman Ave. to Kinsmoor Ave.

DELETE:

ONE HOUR PARKING 8:00 A.M. TO 6:00 P.M. (EMERGENCY)

Fairfield Ave. - west side - from Nuttman Ave. to Kinsmoor Ave.

Respectfully submitted,

  
Tom Manny  
Traffic Engineer



TM/lc

REGULATORY RESOLUTION NO. 37/95/E

(Adopted 07/06/95)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

STOP INTERSECTION

(EMERGENCY)

WHEREAS, the City Traffic Engineer has, by written memorandum dated 6/27/95, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 07/06/95, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

STOP INTERSECTION

(EMERGENCY)

Kimberly Rd.

- stop -

for Belle Vista Blvd.

REGULATORY RESOLUTION NO. 38/95/D

(Adopted 07/06/95)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

PREFERENTIAL INTERSECTION

(DELEGATED)

WHEREAS, the City Traffic Engineer has, by written memorandum dated 6/27/95, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:**

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 07/06/95, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

DELETE:

PREFERENTIAL INTERSECTION

(DELEGATED)

Belle Vista Blvd.

-preferential-

at Kimberly Rd.

**TRAFFIC ENGINEERING DEPARTMENT**

REPORT NO. BPS/26/95 SHEET 1 OF 1 DATE JUNE 27, 1995

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: STOP INTERSECTION

Please be advised our office has received a request from Paul Rykard, President of Bella Vista/Allendale Neighborhood Association, regarding intersection control at Belle Vista Blvd. and Kimberly Rd. A combination of restricted sight distance and geometric design satisfies minimum warrants for a more retractive control than the existing Yield signs.

It is hereby recommended that the Board of Public Safety authorize the following:

STOP INTERSECTION (EMERGENCY)

Kimberly Rd. - stop - for Belle Vista Blvd.

**DELETE:**

PREFERENTIAL INTERSECTION <sup>3845/D</sup> (DELEGATED)

Belle Vista Blvd. - preferential - at Kimberly Rd.

Respectfully submitted,

  
Tom Manny  
Traffic Engineer



TM/lc

REGULATORY RESOLUTION NO. 39/95/E

(Adopted 07/06/95)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

STOP INTERSECTION

(EMERGENCY)

WHEREAS, the City Traffic Engineer has, by written memorandum dated 6/27/95, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:**

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 07/06/95, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

STOP INTERSECTION

(DELEGATED)

Cortland Ave.

-stop-

for Lillian Ave.

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/27/95 SHEET 1 OF 1 DATE JUNE 27, 1995

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: STOP INTERSECTION

Please be advised our office has received a request to review the intersection of Cortland Ave. And Lillian Ave. regarding control.

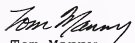
A combination of restricted sight distance and traffic volumes satisfies minimum warrants for Stop control.

It is hereby recommended that the Board of Public Safety authorize the following:

STOP INTERSECTION (EMERGENCY)

Cortland Ave. - stop - for Lillian Ave.

Respectfully submitted,

  
Tom Manny  
Traffic Engineer

*DB*

TM/lc

REGULATORY RESOLUTION NO. 40/95/E

(Adopted 07/06/95)

WHEREAS, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986 authorized the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 70.30 of said Title delegates to this Board authority to:

IMPAIRED MOBILITY

(EMERGENCY)

WHEREAS, the City Traffic Engineer has, by written memorandum dated 6/30/95, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the Office of the Board:

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:**

That pursuant to the authority delegated to this Board, Section 70.30, Title 7 of the Code of the City of Fort Wayne, Indiana of 1986, it is hereby ordered, effective 07/06/95, and when signs are erected pursuant hereto giving notice thereof, that the following is established:

IMPAIRED MOBILITY PARKING (RESIDENTIAL)

(EMERGENCY)

2121 Brown St.

-south side-

from 195' west of  
Bevel Ave. to 20'  
west thereof

TRAFFIC ENGINEERING DEPARTMENT

REPORT NO. BPS/28/95 SHEET 1 OF 1 DATE June 30, 1995

TO: PAYNE BROWN - BOARD OF PUBLIC SAFETY

FROM: TOM MANNY - TRAFFIC ENGINEER

SUBJECT: IMPAIRED MOBILITY

Please be advised the following Residential (public street) Impaired Mobility Parking application has been submitted to this office as required by the Impaired Mobility Ordinance. The Traffic Engineering Department has reviewed this location and has prepared a map to identify it.


Pending your approval, this location will be properly identified with signs and submitted to Fort Wayne Police Department for selective enforcement.

It is hereby recommended that the Board of Public Safety authorize the following:

IMPAIRED MOBILITY PARKING (RESIDENTIAL) (EMERGENCY)

2121 Brown St. - south side - from 195' west of  
Bevel Ave. to 20'  
west thereof.

Respectfully submitted,

  
Tom Manny  
Traffic Engineer



TM/lc





BROWN ST.

25'

195'

5'

BEVEL AVE.

2121

THE COUNCIL THEN ADJOURNED

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana, and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings the Common Council of the City of Fort Wayne, Indiana, for its REGULAR Session, held on 11th day of JULY, 1995, that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 12th day of July, 1995.

Sandra E. Kennedy  
City Clerk